



UNITED STATES PATENT AND TRADEMARK OFFICE

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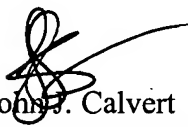
Director's Office
Group 3700

In re Application of :
DABROWA ET AL :
Serial No.10/789,845 : DECISION ON PETITION
Filed February 27, 2004 :
For: System and Method of Producing :
Multi-colored Carpets :

This is a decision on petitioner's request to permit color photographs filed August 24, 2004.

The use of color photographs is provided in MPEP 608.02 with reference to color drawing as part of 37 CFR 1.84(a)(2). This rule was recently changed in a final rules package and published in the Federal Register, Volume 65, No. 183, dated September 20, 2000. The rule states "on rare occasions, color drawings may be necessary as the **only** practical medium by which to disclose the subject matter to be sought to be patented in a utility...application." Petitioner provides that he believes that color drawings of Figs. 1A, 1B, 2 and 3 are the only practical medium to disclose the subject matter related to the multicolored patterns of carpet produced by the present invention, a color palette generated by the present invention and a loading report incorporating colors to load in the tufting machine of the present invention. Upon review of the drawing in question it is believed that color drawing would greatly enhance the understanding of the invention.

In as much as Petitioner has provided clear and convincing evidence that the color drawings are necessary for understanding of the invention as required under 37 CFR 1.84(a)(2) the petition for entry of color photographs is **granted**.


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